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C O N F I D E N T I A L SECTION 01 OF 04 BANGKOK 005036

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TAGS: [PREL](#) [PGOV](#) [PREF](#) [PHUM](#) [KDEM](#) [KPKO](#) [MASS](#) [UNGA](#) [TH](#)  
LA, BM, SU  
SUBJECT: THAI FOREIGN MINISTER ON APEC, UNGA, ELECTIONS,  
BURMA, REFUGEES, DARFUR

REF: A. BANGKOK 4996 (DEMOCRAT PARTY UPDATE)

- [1](#)B. BANGKOK 3648 (THAI TROOPS FOR DARFUR)
- [1](#)C. BANGKOK 3528 (ACTIVISTS AGAINST ISA)
- [1](#)D. 06 BANGKOK 5706 (SUFFICIENCY ECONOMY)

Classified By: Ambassador Ralph L. Boyce, reason 1.4 (b) and (d).

#### SUMMARY

[1](#)1. (C) Thai FM Nitaya Pibulsonggram spoke favorably of recent U.S.-Thai interactions at the APEC summit and previewed some RTG plans for the upcoming UNGA session. He said he would welcome the opportunity to meet with U/S Burns on the margins of UNGA, and indicated that he would make a side trip to Washington to meet with U.S. legislators. In a September 19 lunch hosted by the Ambassador, Nitaya said all signals that he discerned indicated the next election would take place on December 23, per PM Surayud's public commitment. He said the RTG intended to maintain martial law in many Northeast provinces where martial law was not in effect prior to the coup, barring quick passage of an Internal Security Act. Nitaya said extreme actions by the Burmese government could prompt a review of Thai policy toward Burma, but no such review was currently planned. He assured the Ambassador the RTG would not deport Hmong refugees to Laos and expressed concern about the inflow of North Korean refugees to Thailand. Nitaya noted the UN had not yet replied to the RTG's offer of troops for Darfur. He also noted the MFA regretted changes to the Constitution that require a wider range of treaties to receive legislative ratification. End Summary.

#### APEC AND UNGA

[1](#)2. (SBU) The Ambassador hosted Foreign Minister Nitaya Pibulsonggram for lunch at the EMR on September 19. The DCM and American Department Director General Nongnuth Phetcharatana also attended.

13. (C) The Ambassador asked about Prime Minister Surayud's interaction with President Bush at the APEC summit in Australia. Nitya, who had participated in the President's pull-aside in Sydney, characterized the discussion as "pretty good." President Bush had registered his concern about Thailand remaining on track to restore elected governance; the President also emphasized his and the First Lady's concern about the repressive climate in Burma. Nitya expressed gratitude for the President's invitation for ASEAN leaders to gather in Texas but added that it was difficult to find a date convenient for all likely participants. This effort was complicated by the possibility of a new Thai government being formed in early 2008. The Singaporeans are working for a January date that PM Surayud could attend. Nongnuth interjected (correctly) that the Department had advised the ASEANs in Washington that a February or March date was more likely.

14. (C) Nitya explained he would depart Thailand on September 20, stopping in Germany en route to the UNGA session. At the UNGA, the Thais would emphasize their imminent return to democracy and, partly as a result of that, the prospect of Thailand resuming a more significant role in regional affairs. The RTG would emphasize its concern about climate change but offer no specific proposals to address it. PM Surayud Chulanont would also mention the King's concept of "sufficiency economy" (ref D) in his UNGA speech, although Nitya remarked that the King did not feel the concept required greater international attention. PM Surayud also planned a talk at the Asia Society.

15. (C) Nitya said he would welcome a meeting with U/S Burns on the margins of UNGA. The Ambassador passed to the FM an

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invitation for a USAID-sponsored anti-trafficking event in New York on September 24. Nongnuth said the short notice would probably prevent the FM's participation but the RTG would try to send someone else. Nitya planned to make a one-day visit to DC, during which he would not seek executive branch appointments but would try to meet with Senators Biden, Lugar, Webb, and Bond, and Congressmen Lantos and Rangel.

#### ELECTIONS AND REFLECTIONS ON THE COUP

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16. (C) The Ambassador asked Nitya's expectation about the upcoming elections, and specifically whether the election date might be delayed, as some Thai legislators wanted. Nitya said all references he had seen to the elections in internal RTG documents indicated they would take place on December 23, per PM Surayud's public commitment.

17. (C) Nitya expressed dismay with the press coverage of the one-year anniversary of the coup, much of which has criticized the effectiveness of the interim administration. Nitya stressed that the interim's administration goal had always been to ensure a transition from the severe political crisis that pre-dated the coup to an improved democratic system with greater checks and balances to prevent a resurgence of Thaksin-style authoritarian tendencies. Nitya felt the administration had accomplished this difficult task but was being given little credit for it.

18. (C) Nitya also confirmed earlier rumors that the accusations of acts of lese majeste by Thaksin (one of the major public justifications for the coup) had been dropped, at the quiet suggestion of unnamed figures at the Palace. Nitya added that he felt confident that Thaksin and his loyalists were not responsible for spreading a video clip (available on the internet) that showed the Crown Prince and his wife, who was in a state of semi-dress, at a party. Nitya declined to specify whom he believed responsible for spreading the video clip, however.

¶9. (C) Reflecting on the widespread rejection of the constitution in the Northeast during the August referendum, Nitya said that the RTG was intent on keeping martial law in effect in most northeastern provinces at least until the date of the election. The only way martial law would be lifted there sooner would be if the legislature were to pass an Internal Security Act (ISA). Many in the military were pushing for the current parliament to pass the ISA, and Nitya said that the draft had evolved in positive ways after initial public criticism (ref C). He remained uncertain whether the legislature would pass the ISA before its term expired, however.

¶10. (C) Nitya estimated that the pro-Thaksin People's Power Party (PPP) might do less well in the Northeast -- the region most supportive of Thaksin -- than many political observers expect. He did not indicate whether he believed there was a direct relationship between the retention of martial law and the PPP turnout in the next election. Consistent with current conventional wisdom, he doubted PPP could win an absolute majority.

BURMA

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¶11. (C) Nitya related that PM Surayud had informed President Bush at APEC that ASEAN influence on Burma had diminished, because of the increasing weight the Burmese accord to their relations with China and India. He said he had lobbied his Burmese counterpart to support the ASEAN Charter's provisions

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lauding democratic principles, and the Burmese reluctantly agreed that all ASEAN countries could commit to aspiring for democratic governance.

¶12. (C) Commenting on the current state of affairs in Burma, Nitya said the RTG was not inclined to review or revise its Burma policy but might be forced to do so if the GOB were to "start shooting monks" engaged in anti-regime activities. Nitya argued that some small progress had taken place with the National Convention. "It's not nearly as much as anyone wants, but it's there." The Ambassador demurred and reviewed for the FM USG concern about the current situation in Burma.

REFUGEES -- HMONG AND NORTH KOREAN

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¶13. (C) The Ambassador raised USG concern for the safety of Hmong refugees in Thailand. Nitya assured the Ambassador that, despite some rumors to the contrary, the RTG would not deport Hmong back to Laos without a screening process. The Ambassador welcomed this assurance and urged the establishment of a credible screening mechanism for all the Hmong currently seeking refugee status. It was not necessary for the UN to play the key role in this screening, the Ambassador said, so long as the process was credible and accessible to those who might have a legitimate claim. Nitya confirmed that the RTG was considering how to set up a process that did not rely on the UN. Nitya added that the Hmong issue should be seen in the context of the overall Thai-Lao relationship, which he considered "very good." He cited Thai construction of a third bridge to Laos and also said the two countries were making progress on border demarcation.

¶14. (C) Nitya considered the inflow of North Korean refugees into Thailand problematic. He said he wished there was a way that North Koreans could make their way to South Korea without having to come through Thailand. The Ambassador acknowledged Thai assistance in processing North Korea refugees and urged that this continue, even though he recognized RTG concerns that more North Koreans might be

drawn to Thailand by the prospect of resettlement.

NEXT FOREIGN MINISTER

¶15. (C) The Ambassador asked Nitya whom he thought might succeed him as Foreign Minister. Nitya confirmed the report of another source (ref A), that the main contenders were former Deputy Foreign Minister Sukhumbhand Paribatra and former Ambassador to the U.S. Kasit Piromya, both of whom were currently associated with the Democrat Party.

THAI TROOPS FOR DARFUR

¶16. (C) Nitya noted that the UN had not yet responded to Thailand's offer to provide troops for deployment in Darfur. (Ref C reported that the RTG was awaiting a UN response.)

TREATY RATIFICATION

¶17. (C) Nitya admitted that MFA officials were disappointed with provisions of the new Constitution (primarily in Article 190) that establish a new role for the legislature in approving treaties. (Note: Under the 1997 Constitution, the legislature only had a role in approving a treaty that "provides for a change in the Thai territories or the jurisdiction of the State or requires the enactment of an Act for its implementation..." Article 190 of the 2007 Constitution requires the legislature's approval for a much wider range of treaties. This strengthening of the legislature's role likely stems from controversy over

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trade-related agreements that were under negotiation in recent years. End note.)

COMMENT

¶18. (C) Nitya is correct that the interim administration's principal mission was to pave the way for democratic elections after Thaksin's ouster, but, as messy as the pre-coup political crisis had become, it would be unrealistic to expect that the Thai people would be happy with twelve months of mediocre governance. We welcome Nitya's reassurance that the RTG is preparing for elections on December 23, but we note that, until the King issues the relevant decree, some Thais who prefer later elections may agitate for a delay.

¶19. (C) Regarding a possible encounter with U/S Burns on the margins of UNGA, we think that would be a good occasion to discuss not just the return to elected civilian government, but the wider foreign policy agenda.

BOYCE